

STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
FINAL STATEMENT OF REASONS FOR REGULATORY ACTION

Amend Section 364  
Title 14, California Code of Regulations  
Re: Elk

- I. Date of Initial Statement of Reasons: January 15, 2003
- II. Date of Pre-adoption Statement of Reasons: March 1, 2003
- III. Date of Final Statement of Reasons: May 19, 2003
- IV. Dates and Locations of Scheduled Hearings:
  - (a) Notice Hearing: Date: February 7, 2003  
Location: Sacramento, California
  - (b) Discussion Hearing Date: April 4, 2003  
Location: Visalia, California
  - (c) Adoption Hearing: Date: May 8, 2003  
Location: Riverside, California
- V. Update:

Originally proposed language of the Initial Statement of Reasons changed season dates for the Fort Hunter Liggett and Grizzly Island Tule Elk hunts and slightly modified tag quotas for Fort Hunter Liggett, Grizzly Island, and the Tinemaha Zone of the Owens Valley. At the adoption hearing, the Commission approved these changes and increased Archery Only quotas for the Northeastern California Rocky Mountain Elk Hunt and the Owens Valley Tule Elk Hunt from 5 either-sex license tags to 7 either-sex license tags.
- VI. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting those considerations:

No oral or written comments were received from the public in opposition to or in support of the proposed regulatory action.

VII. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:  
California Fish and Game Commission  
1416 Ninth Street  
Sacramento, California 95814

VIII. Location of Department files:

Department of Fish and Game  
1812 Ninth Street  
Sacramento, California 95814

IX. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

1. Season Dates, Fort Hunter Liggett Tule Elk Hunt

There is no reasonable alternative to the proposed change.

2. Season Dates, Grizzly Island Tule Elk Hunt

There is no reasonable alternative to the proposed change.

3. Number of Tags

No alternatives were identified. Elk license tag quotas must be changed periodically in response to a variety of environmental and biological conditions.

4. Editorial Changes

There are no reasonable alternatives to the proposed changes.

(b) No Change Alternative:

1. Season Dates, Fort Hunter Liggett Tule Elk Hunt

The no-change alternative was considered and rejected. Retaining the existing elk hunt periods would be unresponsive to the heightened military security conditions and reduced staffing levels at Fort Hunter Liggett. It is likely that the no-change alternative would result in cancellation of the Fort Hunter Liggett Tule Elk Hunt.

## 2. Season Dates, Grizzly Island Tule Elk Hunt

The no-change alternative was considered and found inadequate to attain project objectives. Retaining existing dates for periods 3, 4 and 5 of the Grizzly Island Tule Elk Hunt would increase Department costs along with the work effort required to physically prepare the Wildlife Area for the beginning of waterfowl season. Additionally, retaining existing dates would unnecessarily restrict other public use of Grizzly Island Wildlife Area because it is restricted to other public use during the elk season.

## 3. Number of Tags

The no-change alternative was considered and rejected because it would not attain project objectives of providing for hunting opportunities while maintaining elk populations and biological/environmental conditions at desired levels. Retaining current tag quotas for each zone may not be responsive to biologically-based changes in the status of various herds. Management plans specify desired sex and age ratios which are attained/maintained in part by modifying tag quotas on an annual basis. The no-change alternative would not allow adjustment of tag quotas in response to changing environmental/biological conditions.

## 4. Editorial Changes

The no-change alternative was considered and rejected because it would not result in clear and accurate regulations.

- (c) Consideration of Alternatives: In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

## X. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States: The agency is not aware of any cost impacts that a representative business would necessarily incur in reasonable

compliance with the proposed action. The proposed action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None
- (c) Cost Impacts on a Representative Private Person or Business: The agency is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None
- (e) Nondiscretionary Costs/Savings to Local Agencies: None
- (f) Programs mandated on Local Agencies or School Districts: None
- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None
- (h) Effect on Housing Costs: None

## Updated Informative Digest /Policy Statement Overview

Existing regulations specify three hunt periods for the Fort Hunter Liggett Tule Elk Hunt. The proposed change maintains the total number of tags available for this hunt, eliminates one hunt period, and modifies dates of the remaining two hunt periods.

Existing regulations specify hunt periods for the Grizzly Island Tule Elk Hunt. The proposed change in language causes period three (bull), and periods four and five for the Grizzly Island Tule Elk Hunt to occur one week earlier, only during 2003. The proposed change does not alter the duration of hunt periods at Grizzly Island. It is a cost-effective means of maintaining current elk hunting opportunities, minimizing the restriction of other public uses, and enabling Department staff to accomplish essential physical tasks that prepare the Wildlife Area for waterfowl season.

Existing regulations specify tag quotas for each elk hunt. Proposed changes reduce the quota for the Tinemaha zone in the Owens Valley from 20 antlerless and 6 bull tags to 2 bull tags; increase the quota for the Grizzly Island Tule Elk Hunt from 25 antlerless, 8 spike bull and 4 bull tags to 28 antlerless, 8 spike bull and 4 bull tags; and change the quota for the Fort Hunter Liggett Tule Elk Hunt from 20 antlerless, 4 spike bull and 10 bull tags to 20 antlerless and 14 bull tags.

Minor editorial changes are also proposed to improve clarity and consistency of the regulations. Specifically, the proposal deletes reference to awarding tags for the 2002 Fort Hunter Liggett Tule Elk Hunt to persons that were drawn for this hunt when it was cancelled in 2001. The proposal also updates the year from 2002 to 2003, and makes other minor changes to reduce redundancy.

At the adoption hearing, the Fish and Game Commission approved the proposed changes as outlined above. Additionally, the Commission increased Archery Only quotas for the Northeastern California Rocky Mountain Elk Hunt and the Owens Valley Tule Elk Hunt from 5 either-sex license tags to 7 either-sex license tags. After the adoption meeting, minor, nonsubstantive editorial changes were made to clarify the regulations.

Section 364 is amended to read as follows:

**§ 364 Elk.**

(a) Siskiyou Roosevelt Elk Hunt:

(1) Area: In that portion of Siskiyou County beginning at the junction of Interstate Highway 5 with the California-Oregon state line; east along the state line to Highway 97; southwest along Highway 97 to Siskiyou County Road A-12; west along Road A-12 to Interstate 5; north along Interstate 5 to the point of beginning.

(2) Season: The season shall open on Wednesday preceding the second Saturday in September and continue for 12 consecutive days.

(3) Bag and Possession Limit: ~~One~~1 elk per season.

(4) Number of License Tags: 25 either-sex tags.

(b) Northeastern California Rocky Mountain Elk Hunt:

(1) Area: Those portions of Siskiyou, Modoc, Lassen, and Shasta counties within a line beginning at the junction of Highway 97 and the California-Oregon state line; east along the California-Oregon state line to the California-Nevada state line; south along the California-Nevada state line to the Tuledad-Red Rock-Clarks Valley Road (Lassen County Roads 506, 512 and 510); west along the Tuledad-Red Rock-Clarks Valley Road to Highway 395 at Madeline; west on USDA Forest Service Road 39N08 to Adin; west on Highway 299 to Interstate 5; north on Interstate 5 to Siskiyou County Road A-12; east along Siskiyou County Road A-12 to Highway 97; north on Highway 97 to the point of beginning.

(2) Season:

(A) The ~~general~~General ~~season~~Season shall open on the Wednesday preceding the third Saturday in September and continue for 12 consecutive days.

(B) The ~~archery~~Archery ~~only~~Only ~~season~~Season shall open on the Wednesday preceding the first Saturday in September and continue for 12 consecutive days.

(3) Bag and Possession Limit: ~~One~~1 elk per season.

(4) Number of License Tags:

(A) General Season: 10 either-sex tags.

(B) Archery Only Season: ~~5~~7 either-sex tags.

(5) Special Conditions: Elk may be taken during the Northeastern California Rocky Mountain Elk Hunt, Archery Only Season, with Archery Equipment ~~Only~~only as specified in Section 354.

(c) Del Norte Roosevelt Elk Hunt:

(1) Area: Those portions of Del Norte County owned or leased by the Simpson Timber Company within a line beginning at the intersection of Highway 101 and the California-Oregon state line; south along Highway 101 to North Bank Road; southeast along North Bank Road to High Divide Road; northeast along High Divide Road to North Fork Smith River/Wimer Road; north along North Fork Smith River/Wimer Road to the California Oregon state line; west along the California-Oregon state line to the point of beginning.

(2) Season: The season shall open on the last Wednesday in August and continue for ~~ten~~10 consecutive days.

(3) Bag and Possession Limit: ~~One~~1 elk per season.

(4) Number of License Tags: ~~ten~~10 bull tags and ~~five~~5 antlerless tags.

(5) Special Conditions: All tagholders will be required to attend a mandatory orientation.

Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

(d) Marble Mountains Roosevelt Elk Hunt

(1) Area: In those portions of Humboldt, Trinity, Shasta and Siskiyou counties beginning at the intersection of Interstate Highway 5 and the California-Oregon state line; west along the state line to the Del Norte County line; south along the Del Norte County line to the intersection of the Siskiyou-Humboldt county lines; east along the Siskiyou-Humboldt county lines to Highway 96; south along Highway 96 to Highway 299; east along Highway 299 to Interstate Highway 5; north on Interstate Highway 5 to the point of beginning.

(2) Season: The season shall open on the Wednesday preceding the second Saturday in September and continue for 12 consecutive days.

(3) Bag and Possession Limit: ~~One~~1 elk per season.

(4) Number of License Tags: 40 either-sex tags.

(e) Klamath Roosevelt Elk Hunt:

(1) Area: Those portions of Humboldt and Del Norte counties owned or leased by the Simpson Timber Company, Arcata, within a line beginning at the intersection of Highway 101 and the Klamath River; south on Highway 101 to South Klamath Beach Road; west on South Klamath Beach Road to the Redwood National Park boundary; southwest and south along the Redwood National Park boundary to Highway 101; south on Highway 101 to the Redwood National Park boundary; southeast along the Redwood National Park boundary to the Bald Hills Road; southeast along the Bald Hills Road to the Klamath River; northwest along the Klamath River to the point of beginning.

(2) Season: The season shall open on the first Wednesday in September and continue for ~~ten~~10 consecutive days.

(3) Bag and Possession Limit: ~~One~~1 elk per season.

(4) Number of License Tags: 15 bull tags and 15 antlerless tags.

(5) Special Conditions: All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

(f) Big Lagoon Roosevelt Elk Hunt:

(1) Area: In that portion of Humboldt County owned or leased by the Simpson Timber Company, Arcata, within a line beginning at the intersection of the Crannell Road and the A-Line Road; north on the A-Line Road to the intersection with the A-10 Road; north on the A-10 Road along the western boundary of the Simpson Timber Company property line; north along the Simpson Timber Company property line to the boundary with Redwood National Park; south and east along the western boundary of Redwood National Park to the M-Line Road; north and east along the eastern boundary of Redwood National Park to Redwood Creek; south along Redwood Creek to Highway 299; west along Highway 299 to Fieldbrook Road; north along Fieldbrook Road to the intersection with Railroad Grade North; north on Railroad Grade North to the intersection with the M-Line Road; west along the M-Line Road to the intersection with the A-Line road to point of beginning.

(2) Season: The season shall open the last Wednesday in August and continue for ~~ten~~10 consecutive days.

(3) Bag and Possession Limit: ~~One~~1 elk per season.

(4) Number of License Tags: 12 bull tags and 13 antlerless tags.

(5) Special Conditions: All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

(g) Owens Valley Tule Elk Hunt:

(1) Area:

(A) Bishop Zone: In that portion of Inyo County beginning at the junction of Highway 395 and Highway 6 in the town of Bishop; north and east along Highway 6 to the junction of Silver Canyon Road; east along Silver Canyon Road to the White Mountain Road (Forest Service Road 4S01); south along the White Mountain Road to Highway 168 at Westgard Pass; south and west along Highway 168 to the junction of Highway 395; north on Highway 395 to the point of beginning.

(B) Lone Pine Zone: In that portion of Inyo County beginning at the junction of Highway 395 and Mazourka Canyon Road; east and then north on Mazourka Canyon Road to the Inyo National Forest Boundary at the junction of the southern boundary of Township 12S and the northern boundary of Township 13S; east along the southern boundary of Township 12S to Saline Valley Road; south on Saline Valley Road to Highway 190; north and then southwest on Highway 190 to the junction of Highway 395 at Olancha; north on Highway 395 to the point of beginning.

(C) Independence Zone: In that portion of Inyo County beginning at the junction of Highway 395 and Aberdeen Station Road; east on Aberdeen Station Road to its terminus at the southern boundary of Section 5, Township 11S, Range 35E; east along the southern boundary of sections 5, 4, 3, and 2, Township 11S, Range 35E to the Papoose Flat Road at Papoose Flat; south and east on Papoose Flat Road to Mazourka Canyon Road; south and then west on Mazourka Canyon Road to Highway 395; north on Highway 395 to the point of beginning.

(D) Tinemaha Zone: In that portion of Inyo County beginning at the junction of Highway 395 and Highway 168 in the town of Big Pine; north and east along Highway 168 to the junction of the Death Valley Road; south and east along the Death Valley Road to the junction of the Papoose Flat Road; south along the Papoose Flat Road to the southern boundary of Section 2, Township 11S, Range 35E; west along the southern boundaries of sections 2, 3, 4 and 5 to the terminus of the Aberdeen Station Road in Section 5, Township 11S, Range 35E; south and west along the Aberdeen Station Road to Highway 395; north along Highway 395 to the point of beginning.

(E) The Owens Valley fund-raising license tag shall be valid in any zone described in subsection 364(g)(1)(A), (B), (C) and (D).

(F) The Owens Valley archery only license tags shall be valid in any zone described in subsection 364(g)(1)(A), (B), (C) and (D).

(2) Seasons:

(A) For Period One, the season for the Bishop, Lone Pine, Independence, and Tinemaha zones shall open on the first Saturday in November and extend for ~~nine~~9 consecutive days.

(B) For Period Two, the season for the Bishop, Lone Pine, Independence and Tinemaha zones shall open on the third Saturday in November and extend for ~~nine~~9 consecutive days.

(C) For Period Three, the season for the Bishop, Lone Pine, Independence, and



Tinemaha zones shall open on the first Saturday in December and extend for ~~nine~~9 consecutive days.

(D) The ~~archery~~ Archery only ~~Only Season~~ period for the Bishop, Lone Pine, Independence, and Tinemaha zones shall open on the second Saturday in August and extend for ~~nine~~9 consecutive days.

(E) Fund-raising Hunt: The Owens Valley Fund-raising Hunt shall open on the last Saturday in October and extend for 30 consecutive days.

(3) Bag and Possession Limit: ~~One~~1 elk per season.

(4) Number of Tags:

(A) Period One: Bishop Zone – ~~One~~1 bull tag. Lone Pine Zone – ~~two~~2 bull tags and ~~four~~4 antlerless tags. Independence Zone – ~~One~~1 bull tag. Tinemaha Zone – ~~two~~2 bull tags and ~~ten~~ antlerless tags.

(B) Period Two: Lone Pine Zone – ~~two~~2 bull tags and ~~four~~ 4 antlerless tags. Tinemaha Zone – ~~two~~ bull tags and ~~ten~~ antlerless tags.

(C) Period Three: Tinemaha Zone - ~~two~~ bull tags 0 tags.

(D) Archery Only Season: ~~57~~ either-sex tags.

(E) Fund-raising Hunt: 1 bull tag.

(5) Special Conditions:

(A) All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

(B) Elk may be taken during the Owens Valley Tule Elk Hunt, Archery Only ~~Period~~Season with Archery Equipment only as specified in Section 354.

~~(E) Fund-raising Hunt: One bull tag.~~

~~(5) Special Conditions: All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.~~

(h) Cache Creek Tule Elk Hunt:

(1) Area: Those portions of Lake, Colusa and Yolo counties within the following line: beginning at the junction of Highway 20 and Highway 16; south on Highway 16 to Reiff-Rayhouse Road; west on Reiff-Rayhouse Road to Morgan Valley Road; west on Morgan Valley Road to Highway 53; north on Highway 53 to Highway 20; east on Highway 20 to the fork of Cache Creek; north on the north fork of Cache Creek to Indian Valley Reservoir; east on the south shore of Indian Valley Reservoir to Walker Ridge-Indian Valley Reservoir Access Road; east on Walker Ridge-Indian Valley Reservoir Access Road to Walker Ridge Road; south on Walker Ridge Road to Highway 20; east on Highway 20 to the point of beginning.

(2) Season:

(A) The season for bull elk shall open on the second Saturday in October and continue for 16 consecutive days.

(B) The season for antlerless elk shall open on the third Saturday in October and continue for 16 consecutive days.

(3) Bag and Possession Limit: ~~One~~1 elk per season.

(4) Number of Tags: ~~Two~~2 bull tags and ~~two~~2 antlerless tags.

(5) Special Conditions: All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon

receipt of their elk license tags.

(i) Grizzly Island Tule Elk Hunt:

(1) Area: Those lands owned and managed by the Department as the Grizzly Island Wildlife Area.

(2) Seasons:

(A) For Period One, the season for antlerless elk shall open on the Tuesday after the second Saturday in August and continue for ~~four~~4 consecutive days, whereas the season for bulls and spike bulls shall open on the Thursday after the second Saturday in August and continue for ~~four~~4 consecutive days.

(B) For Period Two, the season for antlerless elk shall open on the Tuesday after the third Saturday in August and continue for ~~four~~4 consecutive days, whereas season for bulls and spike bulls shall open on the Thursday after the third Saturday in August and continue for ~~four~~4 consecutive days.

(C) For Period Three, the season for antlerless elk shall open on the Tuesday after the fourth Saturday in August and continue for ~~four~~4 consecutive days, whereas the season for bulls and spike bulls shall open on the Thursday after the first ~~Saturday~~Monday in September and continue for ~~four~~4 consecutive days.

(D) For Period Four, the season for antlerless elk shall open on the second Tuesday ~~after the second Saturday~~ in September and continue for ~~four~~4 consecutive days.

(E) For Period Five, the season for antlerless elk shall open on the third Tuesday ~~after the third Saturday~~ in September and continue for ~~four~~4 consecutive days.

(F) The season for the ~~fund-raising hunt~~Fund-raising Hunt shall open on the first Saturday in August and continue for 30 consecutive days, with advance reservations required by contacting the Grizzly Island Wildlife Area by telephone at (707) 425-3828.

(3) Bag and Possession Limit: ~~One~~1 elk per season.

(4) Number of Tags:

(A) Period One: ~~three~~3 spike bull tags, and ~~five~~6 antlerless tags.

(B) Period Two: ~~One~~1 bull tag, ~~three~~3 spike bull tags, and ~~five~~6 antlerless tags.

(C) Period Three: ~~One~~1 bull tag, ~~two~~2 spike bull tags, and ~~five~~6 antlerless tags.

(D) Period Four: ~~five~~5 antlerless tags.

(E) Period Five: ~~five~~5 antlerless tags.

(F) Fund-raising Hunt: ~~two~~2 bull tags.

(5) Special Conditions: All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

(j) La Panza Tule Elk Hunt:

(1) Area: In those portions of San Luis Obispo, Kern, and Santa Barbara counties within a line beginning at the junction of Highway 101 and Highway 58 in San Luis Obispo County; south on Highway 101 to Highway 166; east on Highway 166 to Highway 33 at Maricopa in Kern County; north on Highway 33 to Highway 58; west on Highway 58 to the point of beginning.

(2) Seasons:

(A) For Period One the season shall open on the second Saturday in October and extend for 23 consecutive days.

(B) For Period Two the season shall open on the second Saturday in November and extend for 23 consecutive days.

(3) Bag and Possession Limit: ~~One~~1 elk per season.

(4) Number of Tags:

(A) Period One: ~~six~~6 bull tags and ~~six~~6 antlerless tags.

(B) Period Two: ~~six~~6 bull tags and ~~six~~6 antlerless tags.

(5) Special Conditions: All tagholders will be required to attend a mandatory orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

(k) Fort Hunter Liggett Tule Elk Hunt:

(1) Area: That portion of Monterey County lying within the exterior boundaries of Fort Hunter Liggett, except as restricted by the Commanding Officer.

(2) Seasons: Due to military operations, season dates for the following periods are subject to further restriction, or may be rescheduled between November 1 and December 31 by the Commanding Officer.

(A) For Period One, the season shall open on the ~~first Thursday~~second Saturday in November and continue for ~~five~~5 consecutive days.

(B) For Period Two, the season shall open on the ~~Wednesday before the last Saturday in November~~first Saturday in December and continue for ~~five~~5 consecutive days.

~~(C) For Period Three, the season shall open on the second Saturday in December and continue through January 1, excluding December 24 and 25.~~

(3) Bag and Possession Limit: ~~One~~1 elk per person.

(4) Number of Tags:

(A) Period One: ~~40~~20 antlerless tags (~~five~~10 military and ~~five~~10 general public).

(B) Period Two: ~~40 antlerless tags~~14 bull tags (~~five~~7 military and ~~five~~7 general public).

~~(C) Period Three: Ten bull tags (five military and five general public) and four spike bull tags (two military and two general public).~~

(5) Special Conditions:

~~(A) Tags for the 2002 Fort Hunter Liggett Tule Elk Hunt will be issued to persons drawn in 2001 because the hunt was cancelled.~~

~~(BA)~~ All tagholders will be required to attend a mandatory hunter orientation. Tagholders will be notified of the time and location of the orientation meeting upon receipt of their elk license tags.

~~(GB)~~ Tagholders shall be required to purchase an annual hunting pass available from Fort Hunter Liggett.

~~(DC)~~ Season dates and hunt areas are subject to restriction by the Commanding Officer of Fort Hunter Liggett based on military training.

(l) Definitions:

(1) Bull elk: Any elk with at least one antler which is exposed and visible above the hair line.

(2) Spike bull: A bull elk having no more than one point on each antler. An antler point is a projection of the antler at least one inch long and longer than the width of its base.

(3) Antlerless elk: Any elk, with the exception of spotted calves, lacking antlers which are exposed above the hair line.

(4) Either-sex elk: For the purposes of these regulations, either-sex is defined as bull elk, as described in Section 364(~~m~~)(1), or antlerless elk as, described in Section 364(~~m~~)(3).

(m) Method of Take: Only methods for taking elk as defined in sections 353 and 354

may be used.

(n) Tagholder Responsibilities:

(1) No tagholder shall take or possess any elk or parts thereof governed by the regulations except herein provided.

(2) The department reserves the right to use any part of the tagholder's elk for biological analysis as long as the amount of edible meat is not appreciably decreased.

(3) Any person taking an elk which has a collar or other marking device attached to it shall provide the department with such marking device within 10 days of taking the elk.

(o) The use of dogs to take or attempt to take elk is prohibited.

NOTE: Authority cited: Sections 200, 202, 203, 332, 1050 and 1572, Fish and Game Code. Reference: Sections 203, 203.1, 332, 713, 1050, 1570-1572, and 3951, Fish and Game Code.